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UNCLAS SECTION 01 OF 07 DUSHANBE 001394

SIPDIS

STATE FOR INL/AEE (BUHLER), SCT, EEB
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TREASURY FOR FINCEN
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SUBJECT: TAJIKISTAN: 2009-2010 INTERNATIONAL NARCOTICS CONTROL
STRATEGY REPORT, PART 1

REF: STATE 097228

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I. Summary

1. (U) Other than geographically limited and small-scale hashish cultivation, Tajikistan is not a producer of illicit narcotics. It is a major transit country. Significant amounts of opium/heroin are trafficked north from the 1344-km Tajik-Afghan border along the established land-based routes and then onward through Central Asia to Russia. There is some evidence of trafficking in Afghan opiates to and through China, but the United Nations Office on Drugs and Crime (UNODC) in Dushanbe reports that the vast bulk of Afghan opiates transiting Tajikistan are consumed within the Russian Federation. The Tajik Drug Control Agency is operating an INL-funded Drug Liaison Office in Taloqan, northern Afghanistan, which has been instrumental in several significant drug seizures. Internally, Tajikistan's law enforcement and security services coordinate some investigative and enforcement activities with each other, but the coordination is inconsistent and of undetermined effectiveness.

2. (U) The Government of Tajikistan implements counternarcotics activities. In the past, Tajikistan's seizures of Afghan opiates have exceeded all other Central Asian states combined. In the first nine months of 2009, Tajikistan's seizures remained high, compared to its Central Asian neighbors, but the amount decreased. Tajik law enforcement makes arrests and seizures in mid- to low-level cases and Tajik cities are generally free of drug-related street crimes. The Tajik enforcement authorities, however, apparently are unwilling to target major traffickers. Tajikistan is a party to the 1988 United Nations Drug Convention and the United Nations Convention against Corruption.

II Status of the Country

¶3. (U) Geography and economics make Tajikistan an attractive transit route for illegal narcotics. The Pyanj River, which becomes the Amu Darya after joining with the Vakhsh, forms most of Tajikistan's 1344 km border with Afghanistan. It is thinly guarded and difficult to patrol. Traffickers can easily cross the border at numerous points without inspection.

¶4. (U) Tajikistan's legitimate economic opportunities are limited. The recent economic and financial crisis has hit Tajikistan hard. Before the crisis, about one million Tajiks worked outside Tajikistan, many in construction in Russia. Since the crisis, some have returned home and are largely jobless. Remittances have fallen 34 percent from 2008 levels.

¶5. (U) Even in normal economic times, Tajikistan's economic growth possibilities are limited by aging infrastructure and power shortages and complicated by the fact that its major export routes transit neighboring Uzbekistan, an unfriendly and uncooperative neighbor. The U.S.-built bridge at Nijniy Pyanj provides a new route for trade through Afghanistan, but the level of legitimate commerce so far generated does not contribute significantly to Tajikistan's economy.

III Country Actions against Drugs.

Policy Initiatives

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¶6. (U) The government has made significant legal reforms, but for the most part these reforms are not directly related to narcotics trafficking. On December 3, Tajik President Emomali Rahmon signed into law a new Criminal Procedure Code. The new Criminal Procedure Code contains significant changes designed to improve the fairness, and effectiveness of the criminal justice system. It will transfer the power of issuing arrest, search and wiretapping warrants from prosecutors to the judiciary. If the President signs the law as expected, the Criminal Procedure Code will take effect April 1, 2010.

¶7. (U) The first Tajik Ombudsman was appointed by President Rahmon in May 2009. The Ombudsman is charged with conducting an independent review of claims against government officials and agencies. The Ombudsman is a well regarded official who enjoys close contacts with the President. His ability to address systemic issues has not yet been tested. The institution will be comprised of political-economical, socioeconomic-cultural and administrative departments and will employ 17 specialists and 15 administrative staff. The Tajik Government provided the Ombudsman with a building in good condition and allocated about \$80,000 for its 2009 operation.

¶8. (U) President Rahmon established a National Legislative Center in March of 2009. The goal of the Center is to eliminate contradictions in laws, improve the quality of new laws, and bring Tajik legislation into compliance with international treaties signed by Tajikistan. President Rahmon appointed Mahmad Zabiurovich Rahimov, Member of Parliament, as the Director of the National Legislative Center. During the Soviet era, Mr. Rahimov was the Head of the Department of Commercial Law at the National University. INL Dushanbe has developed a Justice

Sector project to assist training lawyers who will work in the Center.

Law Enforcement Efforts

19. (U) The data below, provided by the Tajik Drug Control Agency, shows the narcotics seizures by the Tajik law enforcement and security services during the first 9 months of 2009 compared with the same period of 2008:

Ministry of Internal Affairs:

Heroin (kg)	2008: 751	2009: 402
Opium (kg)	2008: 411	2009: 272
Cannabis (kg)	2008: 821	2009: 1236
Total MVD (kg)	2008: 1983	2009: 1910

Drug Control Agency:

Heroin (kg)	2008: 307	2009: 303
Opium (kg)	2008: 487	2009: 143
Cannabis (kg)	2008: 358	2009: 299
Total DCA (kg)	2008: 1152	2009: 745

Border Guards:

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Heroin (kg)	2008: 111	2009: 138
Opium (kg)	2008: 241	2009: 207
Cannabis (kg)	2008: 649	2009: 552
Total BG (kg)	2008: 1001	2009: 897

Committee for National Security:

Heroin (kg)	2008: 200	2009: 19
Opium (kg)	2008: 468	2009: 21
Cannabis (kg)	2008: 121	2009: 134
Total KNB (kg)	2008: 789	2009: 174

Customs Service

Heroin (kg)	2008: 81	2009: 100
Opium (kg)	2008: 01	2009: 9
Cannabis (kg)	2008: 09	2009: 4
Total CS (kg)	2008: 90	2009: 113

Total:

Heroin (kg)	2008: 1450	2009: 962
Opium (kg)	2008: 1607	2009: 652
Cannabis (kg)	2008: 1958	2009: 2225
Total (kg)-	2008: 5015	2009: 3839

¶10. (U) In the first nine months of this year, the DCA seized over 744 kilos of illicit drugs. The DCA participated in four joint operations with the Border Guards. These operations were successful in seizing 76 kilos of illicit narcotics, to include eleven kilos of heroin, twelve kilos of raw opium and 53 kilos of cannabis. The DCA instituted 110 criminal proceedings.

¶11. (U) The Border Guards are the first line of defense against contraband trafficking along the Tajik-Afghan border. They seized 897 kilos of drugs during the first nine months of 2009, which is a 10.4 percent decrease over the same period of last year. They destroyed over a million wild hemp plants. In the first nine months of 2009, the border guards have registered 199 illegal border crossings, have arrested 7 drug dealers which included leaders of large transnational drug groups. Also, the border guards detained 831 persons presenting fraudulent travel documents, and recovered 46 firearms, including 26 submachine guns, 13 carbines, 1 machine-gun, and more than 1600 rounds of ammunition.

Corruption

¶12. (U) Corruption is endemic. Salaries of civil servants, including law enforcement officers, are abysmally low. Under these circumstances, many civil servants look to increase income by charging for services that should be free, or accepting or demanding money to overlook violations of the law. Although

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there are institutions to investigate corruption, there are no measures in place to change the conditions that give rise to corruption.

¶13. (U) Over the first nine months of 2009, the State Financial Control and Anti Corruption Agency has detected 677 corruption-related crimes. Criminal proceedings have been instituted against more than 122 employees of the public management system, law enforcement and regulatory agencies, the Counternarcotics Agency, the Ministry of Defense, land management and architecture bodies. These officials are charged with bribery, abuse of office and embezzlement of state funds. Several of these cases have been tried and convictions obtained.

¶14. (U) The State Financial Control and Anti Corruption Agency conducted 892 inspections at state-run economic entities and other federally funded organizations. Overall, 666 officials and managers have been implicated in wrongdoing, and disciplinary and administrative actions have been imposed upon them, including 28 dismissals. Additionally, inspections of the activities of 69 private companies revealed tax evasion cases, totaling more than 11.8 million Somoni.

Agreements and Treaties

¶15. (U) Tajikistan is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention as amended by the 1972 Protocol, and the 1972 UN Convention on Psychotropic Substances. Tajikistan is also a party to the UN Convention against Transnational Organized Crime and its protocols against migrant smuggling and trafficking in persons.

Cultivation/Production

¶16. (U) In a recent address to the donor community, DCA Head General Rustam Nazarov stated that small-scale hashish cultivation was taking place in the Khatlon region of Tajikistan. However, this problem is insignificant when compared to the opiates flowing north from Afghanistan.

Drug Flow/Transit

¶17. (U) The latest UNODC estimates indicate that about fifty tons of narcotics are smuggled into - and out of - Tajikistan each year. Domestic production is small, and domestic use is insignificant compared to the transit volume. Most smuggled narcotics continue on through Central Asia and into Russia, where it is consumed.

¶18. (U) The quantity of Afghan opiates crossing into Tajikistan, transiting through the mountainous Gorno-Badakhshan Autonomous Region (GBAO) and entering western China remains undetermined. DCA officials in Khorogh claim that the Mobile Patrols in the area are deterring large scale smuggling. Lack of verifiable intelligence and actual seizures in that region make it difficult to assess the extent of this problem. We are addressing this by supporting DCA enforcement activities in this region (see paragraph 26).

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¶19. (U) The amount of precursor chemicals used in Afghan heroin production coming from both western China to Afghanistan and via rail from the Russian Federation is unknown. While the U.S. and other donors assist Tajik authorities in addressing both of these precursor routes, successful interdiction has been very minimal. Existing trade agreements allow sealed rail containers to move uninspected from Russia to Afghanistan. Since there had been no precursor seizures it is difficult to determine the exact extent of the problem. The GBAO region is of particular concern due to minimal police presence in the region and deficient customs inspections at the Kulma pass. DCA Mobile Interdiction Teams are not set up to inspect cargo trucks for mismarked/illegal cargo, particularly since narcotics sniffing dogs are not trained to detain precursor chemicals. Ultimately, Tajik customs officials are going to be the key to obtaining seizures of precursors.

Domestic Programs/Demand Reduction

¶20. (U) The U.S. Embassy conducts drug demand reduction projects to complement other U.S. counternarcotics initiatives. The projects target high school students to promote a healthy and drug-free lifestyle and are popular and well received. In October 2009 the U.S. Embassy International Narcotics and Law Enforcement Office jointly with the Bodybuilding and Fitness Federation of Tajikistan organized the Body Building Championship dedicated to drug demand reduction and promoting a healthy lifestyle among young people in Tajikistan.

¶21. (U) The Drug Control Agency continued to expand and develop initiatives to increase drug awareness, primarily among school children. In June 2009 the Drug Control Agency held drug demand reduction events in five summer camps in the Varzob district. The DCA also held similar events in all regions of the country.

IV. U.S. Policy Initiatives and Programs.

Bilateral Cooperation

¶22. (U) On May 5, 2009, the U.S. Embassy signed the Amendment to the Letter of Agreement on cooperation on narcotics control and law enforcement issues dated January 27, 2003. This amendment provides \$9,426,000 in additional assistance for narcotics control, law enforcement, and justice sector reform. With this assistance, the International Narcotics and Law Enforcement program has provided more than \$37 million in assistance to support Tajikistan's security, rule of law and counter narcotics efforts since 1992.

¶23. (U) The U.S. Embassy INL Office in Dushanbe signed a co-financing agreement for \$1,600,000 with the Asian Development Bank for the reconstruction of the Kulma and Kizil-Art border crossing posts. This reconstruction will provide better living and working conditions to the Border Guards, Customs Service and other agencies working at these posts. This is expected to lead to improved border control. This joint project funds the construction of better facilities than either the United States or the Bank could fund separately.

¶24. (U) The bilateral relationship in counter-narcotics and law enforcement is sound but the U.S. Embassy continues to press for more direct operational and investigative cooperation. Cooperation in justice sector reform is continuing and has led

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to progress in prosecutorial development and international law projects.

¶25. (U) The International Narcotics and Law Enforcement Office in the U.S. Embassy in Tajikistan is headed by a full-time International Narcotics and Law Enforcement officer. She is assisted by a Police Advisor, a Supervisory Program Manager, a Rule of Law Program Manager, Program Managers for Border Security and Policing including Community Policing (1207), and a Construction Engineer. The ICITAP Senior Law Enforcement Advisor departed Post in April 2009 and a new Law Enforcement Advisor is to arrive at Post early next year.

¶26. (U) In supporting the many programs directly implemented by INL, the U.S. Embassy uses the UNODC as an implementer in supporting the Drug Control Agency; the International Organization for Migration for implementation of Trafficking in Persons programs; the American Bar Association to implement rule of law programs; and local non-governmental organizations for implementation of justice programs. The INL section also implements programs directly.

¶27. (U) The INL Office provides financial support to the Drug Control Agency Mobile Team in GBAO. The INL staff will provide technical advice and will monitor the implementation of the project. The goal of the project is to expand professional, technical and infrastructure capacity of the DCA to detect, investigate, interdict and report the illegal movement of narcotics, including pre-cursor chemicals, in the GBAO region of Tajikistan.

¶28. (U) Effective narcotics interdiction requires cross-border cooperation and information sharing. Since 2007, the Drug Control Agency implemented an INL-funded pilot project with the U.S. Drug Enforcement Administration (DEA) to create an office in the Taloqan, northern Afghanistan. The DEA Dushanbe Office is responsible for providing operational support in reference to monitoring/ supervising operational case development, and confidential source recruitment and management. UNODC, our implementing agency, provides support to the Taloqan office for administrative managements like payment of salaries, building operating expenses, provision of equipment, vehicle expenses, and provision of expert training in intelligence-led policing. INL staff will provide technical advice and will monitor the implementation of the project.

¶29. (U) The U.S. Embassy's Border and Law Enforcement Working Group (BLEWG) coordinates all USG assistance on counternarcotics and border assistance. Donor countries and organizations coordinate assistance through the monthly meeting of the Border International Group (BIG). The U.S. is renovating the Ministry of Internal Affairs Academy, and an embedded U.S. advisor, a retired NYPD officer, provides information and assistance concerning curriculum development and teaching methodology.

¶30. (U) The U.S. Embassy created the biweekly Development Assistance Working Group (DAWG), which addresses all aspects of USG assistance in Tajikistan not covered by the BLEWG. As a major implementer of USG assistance programs INL is a member of the DAWG.

Road Ahead

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¶31. (U) The U.S. Embassy INL Office works to improve the justice sector to ensure individuals who commit crimes are prosecuted and convicted in a manner consistent with international human rights standards; provide access to justice for the poor, underserved, and disadvantaged; support the development and unification of the defense bar; combat extremism in the legal training of religious leaders; improve the criminal code and its implementation; combat crimes of trafficking, money laundering and corruption; and strive to reduce illegal drug demand.

¶32. (U) INL closely coordinates its programs within the Embassy, the Government of Tajikistan, and the international community including the European Union, the United Nations, and the Organization for Security and Cooperation in Europe. The long-term elements include building and renovating border posts along the Afghan border; installing communications and counter-narcotics interdiction equipment; and improving the infrastructure, curricula, and methodology of the law enforcement training academies.

¶33. (U) Program sustainability is an overarching concern and consideration. USG assistance in Tajikistan cannot be seen as open ended. However, it is unlikely that the Government of Tajikistan will take on the costs of sustaining follow-on to INL programs in the near future. Upcoming assistance projects proposals must be developed with this fact in mind.

¶V. Statistical Tables

¶32. Drug Crop Cultivation:

N/A

VI. Chemical Control

Precursors

¶33. (U) No statistics on 2009 seizures of precursor chemicals were provided. There was one seizure reported in 2008.

¶34. The point of contact for the INCSR report in the U.S. Embassy Dushanbe is Anne Carson, INL Officer, email: carsonal@state.gov .

End report.
QUAST